



# **PRESS RELEASE**

## **State Senator Wes Shoemyer – 18<sup>th</sup> District**

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### **SEN. SHOEMYER ENCOURAGES FARMERS TO ATTEND SENATE AGRICULTURE COMMITTEE HEARING**

JEFFERSON CITY – Senator Wes Shoemyer, D-Clarence, is urging Missouri farmers and anyone else involved in production agriculture to attend a March 17<sup>th</sup> public hearing in Jefferson City. The Missouri Senate Agriculture, Food Production and Outdoor Resources Committee will hold a hearing on three bills sponsored by Sen. Shoemyer which are important to the future of agriculture in Missouri.

“I’ve been staying busy during our legislative spring break traveling throughout the 18<sup>th</sup> Senate District and talking to farmers about these issues,” Sen. Shoemyer said. “This week I am also traveling to Ankeny, Iowa to attend a U.S. Department of Justice field hearing on competition in the seed industry, which relates to two of the bills I am sponsoring before the Senate Ag Committee next week.”

**Senate Bill 667**, sponsored by Sen. Shoemyer, creates the Missouri Seed Availability and Competition Act. Farmers who want to retain patented seed from a current harvest for planting the following season must register with the Department of Agriculture and pay a fee of \$7 per bushel of saved seed. The fees would be deposited into the Genetically Engineered Seed Fund, which is created by the act. Six dollars per bushel collected would be remitted to the patent holder of the seed on a quarterly basis, and one dollar would be retained by the Department for actual administrative costs of the fund. Any unused administrative funds will be used by the University of Missouri for agricultural research and development. Under the act, a farmer will only be liable for health, safety, or environmental impacts if he or she intentionally or negligently fails to significantly follow the patent holder's or manufacturer's instructions and guidelines for planting the seed.

Sen. Shoemyer says he has filed similar legislation every session since 2001.

“I am frustrated that numerous small seed companies have been bought by Monsanto since I first filed this legislation,” Sen. Shoemyer said. “I think we need some kind of Public Service Commission-type entity to oversee and protect services that are vital to our farmers.”

**Senate Bill 766**, sponsored by Sen. Shoemyer, creates procedures that a patent holder of genetically-modified seed must follow before entering onto private farmland to take plant samples. Specifically, the patent holder must notify the farmer in writing of the suspected breach of contract or patent infringement; provide a copy of the notification to the director of the Department of Agriculture; obtain written permission from the farmer to enter the property; and inform the farmer of the required procedures described in the act.

The farmer must respond in writing to a request to take samples within 10 days of receipt of the request. The patent holder may petition a court for permission to enter the property and may also seek a protective order if the patent holder has reason to believe that a crop to be sampled may be intentionally damaged or destroyed. Once permission has been granted by either the farmer or a court, the patent holder may enter the property in order to take samples. The farmer or the patent holder may request to have the Department of Agriculture present at the sampling or actually conduct the sampling. The department may charge reasonable fees for any sampling activities it conducts, for which the patent holder is responsible for paying. The results from any sampling must be sent via registered letter to all parties involved within 30 days after the results are first reported.

A violation of the act by a patent holder is punishable by penalty of no less than \$50,000 per violation.

The act creates certain immunity from liability for farmers on whose property is found evidence of a patented genetically-modified plant when the farmer did not knowingly buy or acquire the plant, otherwise acted in good faith, and the presence of the plant is minimal.

The act requires that any contract for the purchase of patented genetically-modified seed shall comply with the provisions of the act or else the contract shall be considered in violation of state law and shall be null and void.

“Right now, a corporation like Monsanto can launch an investigation to see if a farmer is using genetically-modified seed without telling the farmer or anyone else what they are doing,” Sen. Shoemyer said. “If the Highway Patrol does an investigation, they have to notify the local Sheriff, and I think Monsanto and others should follow the same rules. We’ve had investigators who’ve been cornered by farmers on their own property wanting to know why they are there and what they are doing.”

Finally, Sen. Shoemyer’s **Senate Bill 622** increases the fee for registering a pesticide in Missouri. Under current law, the fee for registering a pesticide in Missouri is \$15 per year. This act increases the fee to \$150 plus one-fifth of 1% of the product's annual gross sales in Missouri up to a maximum total fee of \$1,500 per product. Under current law, there is a late charge of \$5 assessed for any pesticide not registered by January 1st. This act increases the late charge to \$50.

The act creates the Pesticide Fee Fund into which all but \$15 of the pesticide registration fee will be deposited, and all but \$5 of any late fees will be deposited. The \$15 and \$5 portions will continue to be deposited in the general revenue fund as under current law. Funds placed into the Pesticide Fee Fund shall be used for program administration by the Department of Agriculture.

“We’re still charging \$15 per year to register these chemicals when all of the states around us are charging these out-of-state corporations an average of \$150 per year, so Missouri is losing out on more than \$1.3-million each year,” Sen. Shoemyer said.

Senate Bills 622, 667 and 766 will be heard by the Senate Agriculture, Food Production and Outdoor Resources Committee beginning at noon, Wednesday, March 17 in Senate Committee Room 1 on the first floor of the Capitol. Sen. Shoemyer says it’s important that farmers attend the hearing to express their support for these important agricultural measures.

“We’ll put on a big pot of ham and beans for the folks who take the time and trouble to travel to Jefferson City to attend this hearing,” Sen. Shoemyer said. “Agriculture is Missouri’s number one industry and I think these bills will help keep it that way, but I need the help and support of Missouri’s farmers to get these bills through the Legislature.”

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